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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/701,210

11/04/2003

Michael Wayne Brown

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05/02/2006

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EXAMINER

ELAHEE, MD S

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 05/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/701,210

Applicant(s)

BROWN ET AL.

Examiner

Md S. Elahee

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 December 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Response to Amendment*

1. This action is responsive to an amendment filed on 12/20/2005. Claims 1-4 are pending.

### *Response to Arguments*

2. Applicant's arguments filed on 12/20/2005 remarks have been fully considered but are moot in view of the new ground(s) of rejection which is deemed appropriate to address all of the needs at this time.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Farris et al. (U.S. Patent No. 6,067,347).

Regarding claim 1, Farris teaches a method for identifying an answering party or child A [i.e., callee] receiving a call (col.5, lines 52-55,col.11, lines 30-39), comprising:

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detecting a detecting a call extended to an answering party or child A's device [i.e., destination device] (col.35, lines 41-44); (Note: since a call is made to child A's telephone, it is clear that telephone is detecting the incoming call.)

accessing by the destination device an IP [i.e., third party system] enabled to authenticate an answering party [i.e., callee] identity (col.35, lines 43-44);

receiving at the destination device a prompting from the third party system to provide a spoken response [i.e., voice utterance] (col.35, lines 41-48);

responsive to detecting a voice utterance at the destination device, transferring the voice utterance to the third party system (col.35, lines 41-48); (Note: since a spoken response is received at child A's telephone, it is clear that telephone is detecting the spoken response.)

receiving, from the third party system, an authenticated identity of the callee according to the voice utterance (col.35, lines 41-51).

Regarding claim 2, **Farris** teaches accessing a third party system further comprises: accessing said third party system via a trusted telephone network (fig.1; col.11, line 22). (Note: trusted telephone network includes central office 11 and SS7 network.)

Regarding claim 3, **Farris** teaches accessing a third party system further comprises: accessing said third party system via a network comprising at least one of the Internet, an intranet, and a private line (fig.1).

Claim 4 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, **Farris** teaches accessing a third party system for retrieving a template [i.e., voice imprint] corresponding to the voice utterance (col.35, lines 45-51). (Note: since IP verifies a match between the spoken response and previously installed/stored voice template, it is clear that IP retrieves from its storage the voice template to verify the match.)

authenticating an identity of the callee identified by the voice imprint by matching the accessed voice imprint with the voice utterance (col.35, lines 45-51).

### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Eberle et al. (U.S. 6,885,734) teach System and method for the creation and automatic deployment of personalized, dynamic and interactive inbound and outbound voice services, with real-time interactive voice database queries,

**Desai et al.** (U.S. 6,877,093) teach System and method for secure provisioning and configuration of a transaction processing device and

**Chang et al.** (U.S. 2003/0095542) teach Apparatus and method for integrated voice gateway.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S. Elahee whose telephone number is (571) 272-7536. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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ME

MD SHAFIUL ALAM ELAHEE

April 26, 2006

  
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